

EXHIBIT J

THE ARBITRATION TRIBUNALS OF THE AMERICAN
ARBITRATION ASSOCIATION

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In the Matter of Arbitration between
SPENCER MEYER,

Claimant,

Les Weinstein

-against-

AAA No. 01-18-0002-1956

UBER TECHNOLOGIES, INC.,

Respondent.

- - - - - x

October 23, 2019

9:30 a.m.

BOIES SCHILLER FLEXNER LLP

55 Hudson Yards

New York, New York 10001

B E F O R E:

LES WEINSTEIN, The Arbitrator

- - -

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APPEARANCES:

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ALSO PRESENT:

SPENCER MEYER, CLAIMANT
KALEIGH WOOD, PARALEGAL
ERIC LIPMAN, ESQUIRE, UBER

1 S. Meyer - Direct

2 in a sense, certain presumptions that he
3 might not get if there were an Appellate
4 Court standing there to rule on certain
5 things.

6 I have, in my mind, decided nothing
7 or certainly nothing I would tell you
8 about. I claim to have an open mind. I
9 am aware there are lots of issues in
10 this case that are fascinating and it,
11 obviously, involves more than \$80, so
12 with that in mind, proceed.

13 MR. FELDMAN: Thank you, Mr.
14 Weinstein.

15 DIRECT EXAMINATION

16 MR. FELDMAN:

17 Q. Good morning, Mr. Meyer.

18 A. Good morning.

19 Q. I would like to start with a few
20 background questions.

21 Mr. Meyer, how old are you?

22 A. Forty-one.

23 Q. Where do you live?

24 A. Guilford, Connecticut.

25 Q. With whom?

1 T. Kalanick - Direct

2 T R A V I S K A L A N I C K, called as a
3 witness, having been duly sworn by a
4 Notary Public, was examined and testified
5 as follows:

6 MR. FELDMAN: claimant calls Mr.
7 Kalanick as its next witness, as an
8 adverse witness.

9 DIRECT EXAMINATION

10 BY MR. FELDMAN:

11 Q. Good afternoon, Mr. Kalanick.

12 A. Good afternoon.

13 Q. My name is Brian Feldman. We met
14 at your deposition. I want to start with
15 just a few questions about your current
16 relationship with Uber Technologies, which I
17 will call Uber.

18 You currently sit on Uber's board
19 of directors, is that right?

20 A. That's correct.

21 Q. You are one of nine current
22 directors at Uber?

23 A. That sounds about right, but I
24 would have to count.

25 Q. The others would be Ronald Sugar,

1 T. Kalanick - Direct

2 Q. Who were Uber's founders?

3 A. Myself and Garrett Camp.

4 Q. You first learned of the idea that
5 become Uber from Mr. Camp, is that right?

6 A. That's correct.

7 Q. That was around December 2008?

8 A. Yes, that's correct.

9 Q. Something called the LeWeb,
10 L-E-W-E-B, Tech Conference in Paris?

11 A. Yes, that's correct.

12 Q. It was at that conference, Garrett
13 Camp told you he wanted to push a button and
14 get a ride and he was very excited about it
15 being a nice car, right?

16 A. That's correct.

17 Q. Mr. Camp's idea, at least
18 initially, was that Uber would own the cars
19 and employ the drivers, right?

20 A. That is correct.

21 Q. But you weren't excited about that
22 approach, were you?

23 A. No, I thought there were enough
24 cars on the road already.

25 Q. You didn't want to be in the limo

1 T. Kalanick - Direct

2 the following answer.

3 Question: In a new city where Uber
4 launched in that period of time, what was the
5 pitch to drivers?

6 Answer: It was the same.

7 Did I read that correctly?

8 A. I think so.

9 Q. We are still talking about this
10 period between 2010 and 2013.

11 Did [REDACTED] work at Uber
12 during that period?

13 A. Yes, she did.

14 ARBITRATOR WEINSTEIN: Before you
15 get to that, the one thing I want to
16 understand, are you only pitching this
17 to people that are already in the
18 driving business?

19 THE WITNESS: Yes.

20 ARBITRATOR WEINSTEIN: Or are you
21 trying to bring new people in as Uber
22 drivers?

23 THE WITNESS: Generally, most of
24 the people were already in the business,
25 especially when we would launch the

1 T. Kalanick - Direct
2 original service from, let's call it mid
3 2010 to early 2013. There were
4 some times where we would pitch
5 individuals to start, like get into this
6 business. It could be a good thing and
7 that happened on occasion, but the
8 majority were people who were already in
9 the business.

10 ARBITRATOR WEINSTEIN: When you say
11 you were trying to get them to more
12 efficiently utilize their time, you were
13 actually trying to fill in their blank
14 spaces?

15 THE WITNESS: Correct. And for any
16 black car on the road, here in New York
17 City or anywhere, that's still our pitch
18 today, for black cars.

19 ARBITRATOR WEINSTEIN: Got it.

20 Q. Returning to [REDACTED] who
21 worked at Uber during that time period, her
22 role was to launch Uber in new cities, is
23 that right?

24 A. She ran that function, so she would
25 launch, but she had a team of people

1 T. Kalanick - Direct

2 Q. Let's talk about your level of
3 involvement in this case before it became the
4 arbitration?

5 MR. FELDMAN: And, Mr. Arbitrator,
6 I'm asking these questions to probe
7 privity for purposes of our preclusion
8 defense, preclusion argument.

9 If you will stipulate that Mr.
10 Kalanick is in privity with Uber in the
11 District Court litigation, I can skip
12 this section of my questions.

13 MR. ISAACSON: Can I take a minute?

14 ARBITRATOR WEINSTEIN: It seems
15 that was pretty much your argument
16 before the judge below.

17 (Off the record.)

18 MR. ISAACSON: For the record, are
19 you talking about the period when he is
20 CEO or after that?

21 MR. FELDMAN: To be specific, what
22 I'm trying to establish is that Uber,
23 the company, and Mr. Kalanick were in
24 privity as that doctrine exists on issue
25 preclusion when the decision on the

1 T. Kalanick - Cross

2 motion to dismiss was decided by Judge
3 Rakoff. And we've laid out this argument
4 in our papers, in our prehearing brief,
5 if you won't contest the privity point.

6 MR. ISAACSON: What is the date of
7 the decision?

8 MR. FELDMAN: The date of the
9 decision, he was still CEO of the
10 company. It was March 31, 2016.

11 MR. ISAACSON: During the period he
12 was CEO, we don't contest that he is CEO
13 and in privity with the company.

14 ARBITRATOR WEINSTEIN: It seems to
15 me that's good enough for you. Whatever
16 date that is, you can figure that out.

17 MR. FELDMAN: If that's good enough
18 for you, it's good enough for me, Mr.
19 Weinstein.

20 No further questions at this time.

21 Thank you, Mr. Kalanick.

22 CROSS-EXAMINATION

23 BY MR. ISAACSON:

24 Q. A few follow-up questions, Mr.
25 Kalanick.